

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2008-024621

12/26/2008

HONORABLE BARBARA HAMNER

CLERK OF THE COURT
J. Rutledge
Deputy

LUISA UNGER

RICK D SHERMAN

v.

JAYSON STONE, et al.

KEVIN R HARPER

FORCIBLE DETAINER TRIAL

Prior to trial, Plaintiff's Exhibits 1 through 5 are marked for identification.

Courtroom OCH-001. Proceedings are digitally audio-recorded in lieu of a court reporter.

10:06 a.m. This is the time set for a Forcible Detainer Trial. Plaintiff Luisa Unger is present and represented by Counsel Rick Sherman. Doc Hestand is also present. Defendants, Jayson Stone and Susan Twarowski, are present and represented by Counsel Kevin Harper.

Let the record reflect that Defendants have withdrawn their counterclaim in this matter.

Oral argument is held re: Defendant's Motion to Dismiss Forcible Detainer Complaint.

10:58 a.m. The court stands at recess.

11:21 a.m. Court reconvenes with the parties and respective counsel present.

Proceedings are digitally audio-recorded in lieu of a court reporter.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2008-024621

12/26/2008

IT IS ORDERED denying Defendant's Motion to Dismiss Forcible Detainer Complaint.

Plaintiff's case:

Doc Hestand is sworn and testifies.

Exhibits 1 through 5 are received in evidence.

Plaintiff Luisa Unger's testimony is stipulated to by counsel and is therefore not called to the stand.

Plaintiff rests.

Defendant's case:

Jayson Stone is sworn and testifies.

Defendant rests.

IT IS ORDERED taking this matter under advisement.

12:24 p.m. Trial concludes.

FILED: *Plaintiff's Motion and Affidavit in Support of Award of Attorney's Fees*

Later:

The Court has reviewed and considered the pleading in this case, testimony of witnesses and argument of counsel. The Court's assessment of credibility of witnesses was made without any consideration of alleged criminal history.

IT IS ORDERED finding the Defendants guilty of Forcible Detainer. Plaintiff is awarded judgment, all in accordance with the formal written Order signed by the Court on December 26, 2008 and entered (filed) by the Clerk on December 26, 2008.

Defendant Jayson Stone's testimony regarding the amount of unpaid rent was found to be less than credible as there was no substantiation of claims of cash payments of rent.